

**REMARKS**

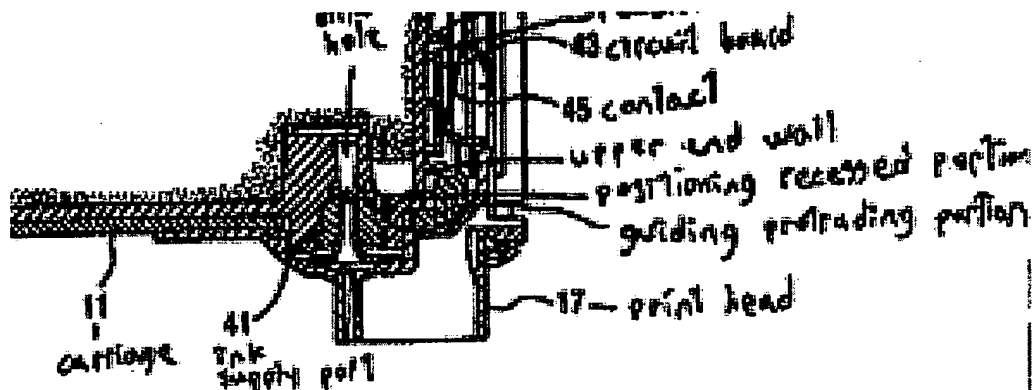
Claims 1-60 are all the claims pending in the application. Claims 3, 7, 8, 12, 17-19, 28-31, 38, 44-60 have been withdrawn from consideration.

Claims 1, 2, 4-6, 9-11, 13-16, 20-27, 32-37 and 39-43 are rejected under 35 U.S.C. § 102(e) as being anticipated by Seino et al. (U.S. Patent No. 6,361,138; hereinafter "Seino"). Applicant submits the following in traversal of the claim rejections.

Applicant maintains that claim 1 is patentable because each and every element of the claim is not disclosed or suggested by Seino. As previously pointed out by the Applicant, Seino fails to disclose or suggest an ink cartridge wherein the positioning system contacts the positioning member to align the electrodes with respective contacts in a carriage moving direction in a state in which the electrodes contact the contacts.

In response, the Examiner states that he "is unclear why the applicant is equating the presence of sidewalls with the disclosure of aligning electrodes with respective contact in a carriage moving direction." Applicant submits that a sidewall is a non-limiting example of a structure that would align the electrodes of the circuit board 43 with the contacts 45 in a carriage moving direction, if such a sidewall disposed at the positioning recessed portion of the ink cartridge disclosed by Seino.

In the Office Action, the Examiner points out the positioning recessed portion, guiding protruding portion and the ink supply needle as allegedly corresponding to the claimed positioning system and positioning member, as shown in a marked up copy of Fig. 4B in the Final Office Action. The relevant portion of the marked up copy of Fig. 4B is shown below:



See Final Office Action of January 10, 2006, page 3.

First, the ink supply needle cannot possibly correspond to the claimed positioning system of the cartridge because the ink supply needle is part of the carriage 11, whereas the positioning system is recited as being an element of the claimed ink cartridge. Further, the positioning system is recited as being located between the ink supply port and the electrodes. In Seino, the ink supply needle is not disposed between the ink supply port 41 and the electrodes.

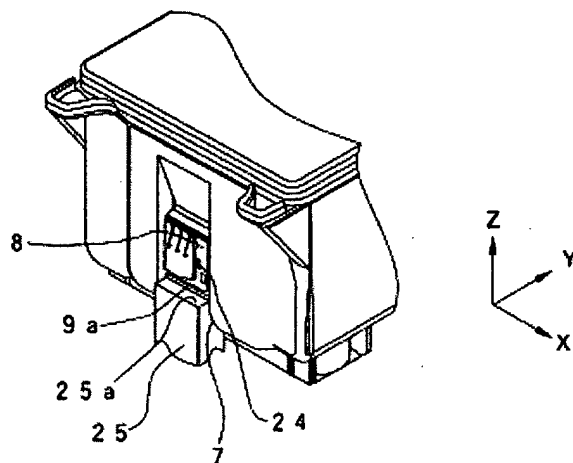
Furthermore, the distance separating the ink supply needle from the contact 45 and the relative location of the ink supply needle (facing bottom of cartridge) and the contact 45 (at side of cartridge) would not align the contacts 45 of the carriage 11 with their respective contacts on the circuit board 43 of the cartridge.

Also, the precise portions labeled as the positioning recessed portion and the guiding protruding portion by the Examiner in Fig. 4B, do not show any structure which would restrict the motion of the carriage 11 in the carriage moving direction. In other words, while the positioning recessed portion shows an upper wall and a lateral wall, there is no side wall that is parallel to the cross sectional view of the cartridge that would contact the positioning member to

align the electrodes with respective contacts in a carriage moving direction in a state in which the electrodes contact the contacts.

In an illustrative, non-limiting embodiment of the Applicant's invention, there is a protruding portion 25 that fits inside a recessed portion 7 having an upper wall 9a, as shown in Fig. 8 reproduced below:

**FIG. 8**



As shown in the drawing, the protrusion portion 25 has a width along the x axis, i.e., the carriage moving direction, that is substantially equal to a width of the recess 7, to allow the contact electrodes 24 to be aligned with the electrodes 18 of the circuit board 8 along the carriage moving direction.

Although the portion labeled as the positioning recessed portion has an upper wall portion, there is absolutely nothing in Seino which discloses or even suggests that the width of the positioning recessed portion and the width of the guiding protruding portion along the carriage moving direction would be substantially equal. Rather, Seino fails to describe in the

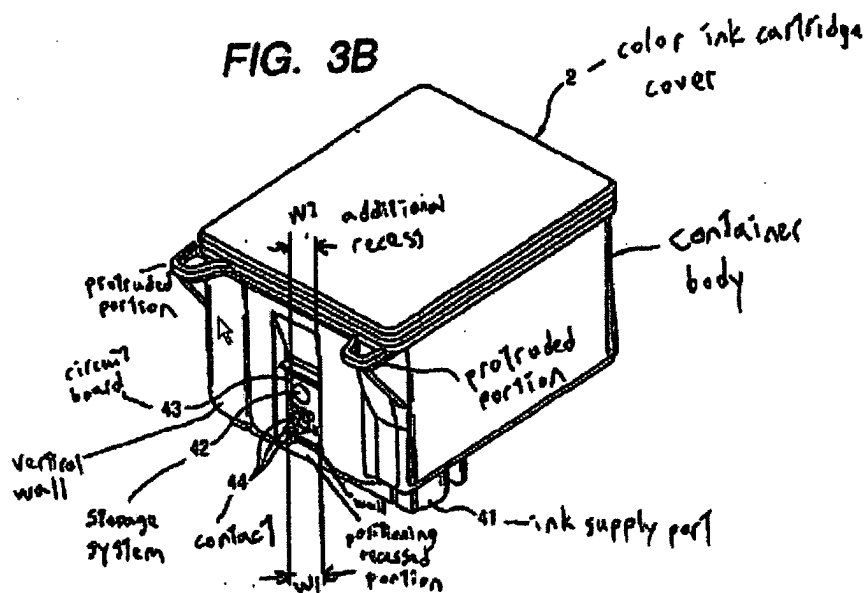
detailed description and fails to show any perspective drawings of the guiding protruding portion which discloses the width of the guiding protruding portion.

Therefore, for at least the above reasons, claim 1 is patentable.

For reasons similar to those submitted for claim 1, claims 9 and 32 are patentable.

Moreover claim 33, which depends from claim 32, is further patentable because Seino fails to disclose a cartridge wherein the positioning system comprises a recess having a first horizontal width along the carriage moving direction, the positioning member received in the recess has a second horizontal width along the carriage moving direction, and each of the electrodes has a third horizontal width along the carriage moving direction substantially equal to or greater than a difference between the first horizontal width of the recess and the second horizontal width of the positioning member.

Although the Examiner alleges that W2, as shown in Fig. 3B as annotated by the Examiner, corresponds to the width of the claimed positioning member, Applicant respectfully requests the Examiner to point out how such a characterization can be made given that Fig. 3B of Seino fails to disclose any positioning member that is received in a recess. Figure 3B only shows an ink cartridge and does not show a recording apparatus. In contrast, claim 1 recites “a positioning member of said recording apparatus.”



The remaining claims are patentable for at least the reasons submitted for their base claims and for the reasons presented in prior submissions of the Applicant.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.116  
U.S. APPLN. NO.: 10/025,821

ATTY DOCKET NO.: Q67781

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE

**23373**

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